

**MINUTES OF THE
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
January 11, 2006**

I. Call to Order

Chairman Cashman called the meeting to order at 9:10 A.M. Commissioners Cleary and Jenkins were present. Staff members present were Messrs. Garfield, Lenge, Smith, Crayton, Ly, Ms. Andrews, Ms. Mathieu, Ms. Haqq, Ms. Adams and Ms. Blackburn. Commissioner Mendoza joined the meeting at 9:20 A.M.

II. Approval of the Minutes of the December 21, 2005 Regular Meeting

It was moved by Commissioner Jenkins and seconded by Commissioner Cleary to approve the minutes of the December 21, 2005 regular meeting. So voted.

Mr. Garfield introduced Brenda Lou Mathieu, the Commission's new Director of Disclosure and Public Information. She was formally employed with the Department of Mental Health and Addiction Services and served as the Director of Disclosure and Public Information for the State Ethics Commission. She is a CPA and served as the auditor for the State Ethics lobbyist program. Chairman Cashman welcomed her as part of the team and wished her a long and rewarding tenure with the Commission.

III. Pending Complaints and Investigations

A. Public Session

1. In the Matter of a Complaint by Linda, Amerighi, Town Clerk,
Sharon
File No. 2005-263
Proposed Consent Agreement and Order
Respondent: Ducky Bancroft
Proposed Findings and Conclusions
Investigator: Attorney Joan M. Andrews
Managing Attorney: Albert P. Lenge

Mr. Lenge explained the above referenced complaint and the proposed Consent Agreement and Order which has been signed by the Respondent. He summarized the facts stated in the proposed Findings and Conclusions and recommended the dismissal of this part of the complaint.

Chairman Cashman requested that this matter be placed on the consent calendar for further action.

2. In the Matter of a Complaint by Joseph A. Bojorski, Berlin
File No. 2005-268
Proposed Consent Agreement and Order
Respondent: Robert W. Smith
Investigator: Attorney Marc W. Crayton
Managing Attorney: Jeffrey B. Garfield

Mr. Garfield explained the above referenced complaint and investigation. He thanked Attorney Crayton for all of his hard work in reaching a successful resolution to this matter. The Respondent has signed the proposed agreement and paid a civil penalty of \$300.

Chairman Cashman requested that this matter be placed on the consent calendar for further action.

3. In the Matter of a Complaint by Judy Alberts, Woodstock Town Clerk
File No. 2005-281
Proposed Consent Agreement and Order
Respondent: Phyllis Freeman
Investigator: Attorney Marc W. Crayton
Managing Attorney: Jeffrey B. Garfield

Mr. Garfield explained the above referenced complaint and investigation. The Respondent has requested more time to consider the proposed agreement. It was agreed that the matter will be continued until the next meeting.

4. In the Matter of a Complaint by Katherine G. Grace, Beacon Falls
File No. 2005-282
Proposed Consent Agreement and Order
Respondent: Marc Bronn
Investigator: Attorney William B. Smith
Managing Attorney: Jeffrey B. Garfield

Mr. Garfield explained the above referenced complaint and investigation. He thanked Attorney Crayton for all of his hard work in reaching a successful resolution to this matter. The Respondent has signed the proposed agreement and paid a civil penalty of \$100.

Chairman Cashman requested that this matter be placed on the consent calendar for further action.

5. In the Matter of a Complaint by Kenneth Bickford, Stonington
File No. 2005-289
Proposed Consent Agreement and Order
Respondent: Don Maranell
Investigation: Attorney William B. Smith
Managing Attorney: Jeffrey B. Garfield

Mr. Garfield explained the above reference complaint and investigation. The Respondent has signed the proposed Consent Agreement and has forfeited to the State of Connecticut the amount of \$141 in compliance with the order.

Chairman Cashman requested that this matter be placed on the consent calendar for further action.

6. In the Matter of a Complaint by Bernard Gallo, Danbury
File No. 2005-293
Proposed Consent Agreement and Order
Respondent: Wayne Baker
Investigator: Attorney Marc W. Crayton
Managing Attorney: Albert P. Lenge

Mr. Lenge explained the above reference complaint and investigation. Attorney Crayton has received a faxed copy of the signed proposed agreement from the Respondent. Respondent has indicated that the original has been mailed.

Chairman Cashman requested that this matter be placed on the consent calendar for further action.

7. In the Matter of a Complaint by Margaret K. Feczko, Westport
File No. 2005-295
Proposed Consent Agreement and Order
Respondent: Rita Lerner
Investigator: Attorney Marc W. Crayton
Managing Attorney: Jeffrey B. Garfield

Mr. Garfield explained the above referenced complaint and investigation. The Respondent has signed the proposed Consent Agreement and Order.

Chairman Cashman requested that this matter be placed on the consent calendar further action.

Items Comprising the Consent Calendar

- Agenda Items No. 1 File No. 2005-263
Proposed Consent Agreement and Order &
Proposed Findings and Conclusions
No. 2 File No. 2005-268
Proposed Consent Agreement and Order
No. 3 File No. 2005-281
Continued
No. 4 File No. 2005-282
Proposed Consent Agreement and Order
No. 5 File No. 2005-289
Proposed Consent Agreement and Order

No. 7 File No. 2005-293
Proposed Consent Agreement and Order

It was moved by Commissioner Jenkins and seconded by Commissioner Cleary to adopt the proposed Consent Agreements and Orders and the proposed Findings and Conclusions listed on the Consent Calendar. So voted. The Consent Agreements and Orders and Findings and Conclusions listed above are attached and incorporated herein as part of these minutes.

In the Matter of a Complaint by Bernard Gallo, Danbury
File No. 2005-293
Proposed Consent Agreement and Order
Respondent: Wayne Baker
Investigator: Attorney Marc W. Crayton
Managing Attorney: Albert P. Lenge

It was moved by Commissioner Jenkins and seconded by Commissioner Cleary to adopt the proposed Consent Agreement and Order in File No. 2005-293, contingent upon receipt of the signed agreement within 7 days from today. So voted. A copy of the Consent Agreement and Order is attached and incorporated herein as part of these minutes.

B. Executive Session per C.G.S. 1-200(6)(B) and (E), and 1-210(b)(3) and (4)

It was moved by Commissioner Cleary and seconded by Commissioner Mendoza at 9:32 A.M. to proceed into executive session pursuant to C.G.S. 1-200(6) (B) and (E) and 1-210(b) (3) and (4) to discuss strategy and negotiations with respect to pending claims listed as Items 8 through 11 on the agenda. So voted. Present were Commissioners Cashman, Mendoza, Cleary and Jenkins. Staff members present were Messrs. Garfield, Lenge, Smith, Crayton, Ly, Ms. Andrews, Ms. Haqq, Ms. Adams, Ms. Mathieu, and Ms. Blackburn.

It was moved by Commissioner Mendoza and seconded by Commissioner Cleary to return to Public Session at 10:50 A.M. So voted.

Following a brief recess, the Commission returned to Public Session and took the following action:

8. In the Matter of Complaints by
Vincent Lorusso, Waterbury
File No. 2005-277
James R. Smith, Middlebury
File No. 2005-278
Investigator: Attorney William B. Smith
Managing Attorney: Jeffrey B. Garfield

This matter was continued.

9. In the Matter of a Complaint by Michael Kot, Easton
File No. 2005-285
Investigators: Attorney Joan M. Andrews &
Hy Xuan Ly, Accounts Examiner
Managing Attorney: Albert P. Lenge

This matter was continued.

10. In the Matter of a Complaint by Clementina Gardner and Margaret Reeves,
Wilton Registrars of Voters
File No. 2005-299
Investigator: Attorney William B. Smith
Managing Attorney: Albert P. Lenge

His matter was continued.

11. In Re: Solicitation of Contributions to Governor's Campaign Fundraiser
Request of M. Lisa Moody
File No. 2005-311
Investigator: Attorney Joan M. Andrews &
Attorney Marc W. Crayton
Managing Attorney: Jeffrey B. Garfield

This matter was continued.

IV. Administrative Reports

A. Draft report on Push Poll Study

Mr. Garfield stated that the study and Report on Push Polling was mandated by section 6 of the Public Act 05-188. The survey included in the packet was developed and prepared by Ms. Adams and Attorney Smith. Ms. Adams and Attorney Smith sent the survey to Connecticut legislators, state central party chairpersons, and town party chairpersons during the first week in December, 2005. Of the five hundred and sixty (560) surveys sent, over 25% were returned. All survey responses were anonymous. Mr. Garfield commended Ms. Adams for her hard work in compiling the statistics for the Commission's review, Attorney Smith for his preparation of the draft report and Mr. Lenge for managing the project. Attorney Smith gave an executive summary of the key elements of the report. The majority of those responding to the survey favored the regulation of push polls by legislation. Mr. Garfield recommended that an expansion of the attribution requirements in section 9-333w to cover push polls as a means of at least identifying the sponsor of the polls and whether or not it has been approved by a candidate. The deadline for submission of the report to the General Assembly is February 1, 2006.

It was moved by Commissioner Cleary and seconded by Commissioner Jenkins to adopt the report for submission to the General Assembly. So voted.

B. Discussion of Pilot Program for Public Financing of Municipal Elections

Mr. Garfield stated that the new campaign finance reform legislation contains the provision for the Commission to establish a pilot program for the public financing of municipal elections for 2007. The Commission will need to develop an application process and selection criteria, and to inform municipalities about the legislation. The Commission has been asked to select no more than 3 municipalities to participate in the pilot program. Each municipality selected to participate shall submit an implementation plan to the Commission for its approval. Mr. Garfield has heard from the New Haven Board of Aldermen and the Mayor of New Haven expressing an interest in participating in the program. Mr. Garfield has also had a discussion with the Chairman of the Common Council for the City of Norwalk who has said that the Council is very interested in participating. The Commission discussed Mr. Garfield's memo detailing the proposed application process and the criteria to be used in its determining which municipalities will be approved for the program. The deadline to submit an application has been set for April 1, 2006 and the deadline to submit a fully drafted plan is July 1, 2006. The Commission will make its final decision on selection by September 15, 2006

Chairman Cashman recommended that the municipalities be informed of the pilot program so that they may consider participating.

It was moved by Commissioner Cleary and seconded by Commissioner Jenkins to adopt the recommendations of Mr. Garfield for the implementation of the application and selection process for participation in the pilot program for Public Financing of Municipal Elections in accordance with the memorandum submitted. So voted.

C. Progress Report on Survey of Town Clerks regarding new Absentee Voting Procedures

Mr. Garfield thanked Ms. Adams for her hard work in preparing and tabulating the results of the overwhelming 117 responses received from the Town Clerks. Ms. Adams briefly summarized the information she has received thus far. Generally there were many useful suggestions and range of concerns. The one concern was did the new procedures reduce the number of people who issued absentee ballots? The results of the survey indicated that the numbers were about the same. The Town Clerks indicated that the number of problems were very small. They all agreed that the Commission's "All You Need to Know About the Absentee Ballots" flyer that was distributed was helpful, however more education was needed. Half of

the responses indicated support for a confidentiality requirement for the AB applications and logs, and they recommended that the Secretary of the State should publish and distribute a uniform log sheet.

Following Ms. Adams summary, Mr. Garfield stated that it is his intention to share the results of the survey to an advisory group of Town Clerks. This group of Town Clerks will review the data and comments and make recommendations for further legislation to the Commission if necessary.

D. Progress on Implementation of PA 05-5

Mr. Garfield reported on the progress for the implementation of the Campaign Finance Reform legislation. He thanked Mr. Lenge and Ms. Skomro for their assistance. Mr. Lenge is working with the Department of Public Works on the space needs required for the staff and computers.

V. *Adjournment*

It was moved by Commissioner Mendoza and seconded by Commissioner Cleary to adjourn the meeting at 11:55 A.M. So voted.

The next regular meeting scheduled for January 24 was cancelled and rescheduled as a special meeting to be held on ***Wednesday, February 1, 2006 at 9:00 A.M.***

Unless otherwise indicated, all votes of the Commission were unanimous.

Respectfully submitted,

Lois E. Blackburn
Clerk of the Commission